IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.352/2001

Mukh Ram S/o Shri Shyochand Ram
...plaintiff-appellant
Versus
Bajrang S/o Shri Girdharilal
...defendant-respondent

Date of Order ::: 03.10.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri M.M. Ranjan, Counsel for plaintiff-appellant
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By the Court:-

Heard learned counsel for the plaintiff-appellant.

The plaintiff-appellant filed a suit for recovery of a sum of Rs.36,120/- against the defendant, in the lower court, which was decreed by the lower court for a sum of Rs.21,000/-. However, on an appeal filed by the defendant, the learned first appellate court set aside the judgment and decree passed by the lower court and dismissed the suit of the plaintiff. The controversial issue involved in the present case is relating to question of fact and there is a finding of fact by the first appellate court, which cannot be interfered with by this Court in second appeal under Section 100 of the CPC. No

illegality or perversity has been pointed out in the finding of the first appellate court.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

(Narendra Kumar Jain) J.

//Jaiman//